

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
INFORMATION DISCLOSURE STATEMENT

Applicant: Roger P. Jackson

Date:

For: ORTHOPEDIC IMPLANT ROD REDUCTION TOOL SET AND METHOD

* * * * *

Kansas City, Missouri

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Applicant is aware of the following references listed on the attached PTO-1449, copies of which are enclosed:

U. S. Patents

<u>Patent No.</u>	<u>Date</u>	<u>Patentee</u>
6,599,294	7/29/03	Fuss, et al.
6,572,618	6/3/03	Morrison
6,562,038	05/13/03	Morrison
6,530,929	3/11/03	Justis, et al.
6,520,962	2/18/03	Taylor, et al.
6,511,484	1/28/03	Torode, et al.
6,478,801	11/12/02	Ralph, et al.

Express Mail EV196864520US

6,440,133	8/27/02	Beale, et al.
6,315,779	11/13/01	Morrison, et al.
6,309,391	10/30/01	Crandall, et al.
6,280,445	8/28/01	Morrison, et al.
6,277,122	8/21/01	McGahan, et al.
6,248,107	6/19/01	Foley, et al.
5,910,141	6/8/99	Morrison, et al.
5,902,231	5/11/99	Foley, et al.
5,891,145	4/6/99	Morrison, et al.
5,792,044	8/11/98	Foley, et al.
5,720,751	2/24/98	Jackson
5,330,472	7/19/94	Metz-Stavenhagen
5,020,519	6/4/91	Hayes, et al.

OTHER DOCUMENTS

Brochure of Spinal Concepts, *Pathfinder, Minimally Invasive Pedicle Fixation System*, Publication Date: May 2003.

Brochure of Spinal Concepts, an Abbott Laboratories Company, *Pathfinder, Minimally Invasive Pedicle Fixation System*, Publication Date: November 2003.

Brochure of Spinal Concepts, *InCompass, Thoracolumbar Fixation System*, Publication Date: October 2003.

Brochure of Spinal Concepts, Surgical Technique, *InCompass, Thoracolumbar Fixation System*, Publication Date: October 2003.

Brochure of SpineLine, Current Concepts, *Minimally Invasive Posterior Spinal Decompression and Fusion Procedures*, Publication Date: September/October 2003.

Brochure of Sofamor Danek the Spine Specialist, TSRH, *Pedicle Screw Spinal System*, Publication Date: January 23, 1995.

The above-listed references are, in the belief and opinion of the undersigned, the closest art of which the applicant is aware as of the date of execution of the Declaration in the above-captioned application.

Respectfully submitted,

2-26-04
Date

Roger P. Jackson
Roger P. Jackson, Inventor

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Substitute for form 1449/PTO				<i>Complete if Known</i>	
				Application Number	
				Filing Date	
				First Named Inventor	Roger P. Jackson
				Art Unit	
				Examiner Name	
Sheet	1	of	3	Attorney Docket Number	10,398

U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US-6,599,294	7/29/03	Fuss, et al.	
		US-6,572,618	6/3/03	Morrison	
		US-6,562,038	5/13/03	Morrison	
		US-6,530,929	3/11/03	Justis, et al.	
		US-6,520,962	2/18/03	Taylor, et al.	
		US-6,511,484	1/28/03	Torode, et al.	
		US-6,478,801	11/12/02	Ralph, et al.	
		US-6,440,133	8/27/02	Beale, et al.	
		US-6,315,779	11/13/01	Morrison, et al.	
		US-6,309,391	10/30/01	Crandall, et al.	
		US-6,280,445	8/28/01	Morrison, et al.	
		US-6,277,122	8/21/01	McGahan, et al.	
		US-6,248,107	6/19/01	Foley, et al.	

FOREIGN PATENT DOCUMENTS					
Examiner Initials	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)			

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Substitute for form 1449/PTO				<i>Complete if Known</i>	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Application Number	
Sheet	2	of	3	First Named Inventor	Roger P. Jackson
				Art Unit	
				Examiner Name	
				Attorney Docket Number	10,398

U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US-5,910,141	6/8/99	Morrison, et al.	
		US-5,902,231	5/11/99	Foley, et al.	
		US-5,891,145	4/6/99	Morrison, et al.	
		US-5,792,044	8/11/98	Foley, et al.	
		US-5,720,751	2/24/98	Jackson	
		US-5,330,472	7/19/94	Metz-Stavenhagen	
		US-5,020,519	6/4/91	Hayes, et al.	
		US-			

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Substitute for form 1449/PTO				<i>Complete if Known</i>	
				Application Number	
				Filing Date	
				First Named Inventor	Roger P. Jackson
				Art Unit	
				Examiner Name	
Sheet	3	of	3	Attorney Docket Number	10,398

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue numbers(s), publisher, city and/or country where published.			T ²
		Brochure of Spinal Concepts, <i>Pathfinder, Minimally Invasive Pedicle Fixation System</i> , Publication Date: May 2003			
		Brochure of Spinal Concepts, an Abbott Laboratories Company, <i>Pathfinder, Minimally Invasive Pedicle Fixation System</i> , Publication Date: November 2003			
		Brochure of Spinal Concepts, <i>InCompass, Thoracolumbar Fixation System</i> , Publication Date: October 2003			
		Brochure of Spinal Concepts, <i>Surgical Technique, InCompass, Thoracolumbar Fixation System</i> , Publication Date: October 2003			
		Brochure of SpineLine, <i>Current Concepts, Minimally Invasive Posterior Spinal Decompression and Fusion Procedures</i> , Publication Date: September/October 2003			
		Brochure of Sofamor Danek the Spine Specialist, <i>TSRH, Pedicle Screw Spinal System</i> , Publication Date: January 23, 1995			

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.